



**MINUTES
SUCCESSOR AGENCY OVERSIGHT BOARD
SPECIAL MEETING OF FEBRUARY 24, 2014**

CALL TO ORDER Chairperson Bonaccorsi called the meeting to order at 6:05 p.m.

ROLL CALL

Present: Chairperson David Bonaccorsi, Vice Chairperson Raj Salwan and Board Members Brian Gebhardt and Randy Sabado

Absent: Board Members Jeff Davis, Scott Haggerty, and Ron Little

Staff Present: For Successor Agency: Mary Bradley, Debra Margolis, Jack Nagle, and Mike Sung

Oversight Board Legal Counsel: Michael Roush
Oversight Board Staff: Jeff Schwob

APPROVAL OF MINUTES

Minutes of November 4, 2013 were approved.

DISCLOSURES

None.

PUBLIC/ORAL COMMUNICATIONS

None.

SCHEDULED ITEMS

Item 3.1 Update on Successor Agency Unwind Issues and Status
To receive a status update on Successor Agency unwind efforts.

Communications Official Schwob summarized the status as follows:

- DOF approved the Old Haller's parcel sale.
- Sale of Old Haller's parcel has occurred and remittance of sale proceeds to taxing entities will occur this week.
- DOF approved the transfer of five remnant right-of-way parcels to City and transfer documents have been prepared and will be executed in the following week.
- DOF approved the revised Long Range Property Management Plan (LRPMP).

- The LRPMP Compensation Agreement has been prepared and submitted to the initial contacts with key taxing entities.
- The City Council approved the Development and Disposition Agreement (DDA) for Centerville Unified Site consistent with approved LRPMP (sale price of \$7.7 million; sale expected late 2014).
- The State Controllers Office completed their on-site review and offered their informal findings regarding RDA asset transfers.
- Staff has had discussions with County Auditor-Controller and DOF regarding the final redevelopment unwind/Successor Agency termination steps and timing.

Chairperson Bonaccorsi noted there were no public speakers and no questions from the Board. He thanked staff for the update.

Item 3.2 ROPS 14-15A

To consider a Recognized Obligation Payment Schedule for the July 2014 to December 2014 time period in the event that the Successor Agency is still in business during this period. Administrative activities are not considered to be a project under the California Environmental Quality Act (Guideline 15378).

Communications Official Schwob introduced the item.

Chairperson Bonaccorsi inquired as to DOF's guidance regarding "going out of business."

Mary Bradley noted that the Auditor-Controller and DOF have had conversations and that as usual we were in the early period of getting guidance and direction.

Chairperson Bonaccorsi noted there were no public speakers and no additional questions from the Board. He asked for a motion from the Board.

Action: Moved by Board Member Salwan, seconded by Board Member Gebhardt to approve staff recommendation. The motion was approved by the following vote:

AYES: 4 – Bonaccorsi, Gebhardt, Sabado and Salwan.
 NOES: 0
 RECUSE: 0
 ABSTAIN: 0
 ABSENT: 1 – Davis, Haggerty and Little

Item 3.3 Administrative Budget 14-15A

To consider an Administrative Budget for the July 2014 to December 2014 time period in the event that the Successor Agency is still in business during this period. Administrative activities are not considered to be a project under the California Environmental Quality Act (Guideline 15378). Fourth Administrative Budget to Actual Comparison is being provided as an informational item.

Communications Official Schwob introduced the item.

Mary Bradley reviewed the Budget to Actual comparison from the prior period, noting costs slightly exceeded the budget. Given the Successor Agencies goal of going out of business, she noted that if there were reduced costs there would be reduced expenditures as well.

Chairperson Bonaccorsi noted there were no public speakers and no additional questions from the Board. He asked for a motion from the Board.

Action: Moved by Board Member Sabado, seconded by Board Member Salwan to approve staff recommendation. The motion was approved by the following vote:

AYES: 4 – Bonaccorsi, Gebhardt, Sabado and Salwan.

NOES: 0

RECUSE: 0

ABSTAIN: 0

ABSENT: 1 – Davis, Haggerty and Little

Item 3.4 Compensation Agreement

To consider adoption of a resolution, approving a Compensation Agreement with the taxing entities for the eventual distribution of sale proceeds from remaining properties owned by the Successor Agency after they are transferred to the City for disposition consistent with the approved Long Range Property Management Plan and a finding that the project is addressed in a previously certified EIR and that none of the conditions described in CEQA Guideline Section 15162 have occurred that would require preparation of a subsequent CEQA document.

Communications Official Schwob introduced the item noting this was one of the final steps required by DOF to unwind the Successor Agency.

Chairperson Bonaccorsi inquired as to the effective date of the Compensation Agreement.

Special Counsel Jack Nagle noted that normal contract principals apply in this instance. As such, the Agreement would become effective after all parties sign.

Chairperson Bonaccorsi inquired as to the anticipated timeframe.

Special Counsel Jack Nagle stated that he anticipated this would be completed within three months. He further noted that the process had begun in parallel with Oversight Board, City and Successor Agency review and that the Compensation Agreement had been delivered to the taxing entities as well.

Chairperson Bonaccorsi asked how this would affect the Centerville Unified Site project.

Special Counsel Jack Nagle stated that approval of the Compensation Agreement and property transfer triggers timeline provisions within the Centerville Development and Disposition Agreement.

Chairperson Bonaccorsi noted that new legislation [SB-1129] had been introduced clarifying funds from the sale of properties could be kept by the sponsoring jurisdiction for further redevelopment related work. He hoped that it would include reimbursement related to extra costs incurred as a result of DOF interpretation.

Special Counsel Jack Nagle noted that funds only appear to be going one way.

Board Member Gebhardt noted that Fremont Unified School District will consider the Compensation Agreement matter on February 26, 2014.

Chairperson Bonaccorsi noting there were only four Board Members present, said he would not vote no but was pleased that there could be action to clear up the legislative intent.

Chairperson Bonaccorsi noted there were no public speakers and no additional questions from the Board. He asked for a motion from the Board.

Action: Moved by Board Member Gebhardt, seconded by Board Member Salwan to approve staff recommendation. The motion was approved by the following vote:

AYES: 4 – Bonaccorsi, Gebhardt, Sabado and Salwan.
NOES: 0
RECUSE: 0
ABSTAIN: 0
ABSENT: 1 – Davis, Haggerty and Little

REPORTS FROM OVERSIGHT BOARD MEMBERS

Board Member Sabado announced his retirement in May, noting that he would be willing to continue service on the Oversight Board, if deemed permissible. Board members congratulated Mr. Sabado for his years of service. Staff noted they would review the matter and inform Board Member Sabado.

ADJOURNMENT

Meeting adjourned at 6:26 p.m.

APPROVED BY:



Jeff Schwob, Communications Official
Fremont Successor Agency Oversight Board